

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Bank of America National Association as
successor by merger to LaSalle Bank National
Association, as Trustee for Morgan Stanley Loan Trust
2007-1XS

In Re:

Armando R. Moncada,

Debtor.



Order Filed on May 22, 2017 by
Clerk U.S. Bankruptcy Court
District of New Jersey

Case No.: 15-18825-JKS

Adv. No.:

Hearing Date: 4/13/2017 @ 11:00 a.m.

Judge: John K. Sherwood

**ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION
PROGRAM**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: May 22, 2017



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: Armando R. Moncada

Case No: 15-18825-JKS

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY VIA LOSS MITIGATION PROGRAM

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bank of America, National Association as successor by merger to LaSalle Bank National Association, as Trustee for Morgan Stanley Loan Trust 2007-1XS, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 262 Berkeley Avenue, Newark, NJ 07107, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and David Beslow, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that the Loss Mitigation Period is extended to and including June 15, 2017; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor continue to make payments in accordance with the original loss mitigation request in the amount of \$1,831.35 while the Loss Mitigation Period is pending directly to Secured Creditor outside of plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event loss mitigation is unsuccessful, Debtor is responsible for the difference between the loss mitigation payment and the regular payment for the all post-petition months; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the loss mitigation payments (or regular monthly mortgage payments upon expiration of the Loss Mitigation Program) are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.